

**REMARKS**

Claims 1-3 and 5-16 remain pending in the application.

**Allowed Claims 6-15**

The Applicants thank the Examiner for the indication that claims 6-15 are **allowed**.

**Claims 1-3 and 5 over Kojima**

Claims 1-3 and 5 were rejected under 35 USC 102(b) as allegedly being anticipated by U.S. Pat. No. 5,886,999 to Kojima ("Kojima"). The Applicants respectfully traverse the rejection.

Claims 1-3 and 5 are amended herein to recite that less than all, but more than one, of a plurality of time slot based data frames, **as transmitted**, include a sync word; wherein at least two adjacent ones of the plurality of time slot based data frames, **as transmitted**, do not include a sync word.

The Examiner cites Kojima as new grounds for rejection, in particular focusing on the disclosures of Fig. 4 and the description at col. 6, line 39 to col. 7, line 27. Kojima teaches **receiver** apparatus.

Claims 1-3 and 5 recite data frames as transmitted, not in a condition as received.

Moreover, the Examiner makes particular note of how Kojima handles reception of data that was transmitted with a sync word in all time slots but because of channel deterioration one or more sync words are just **not detected**.

It is respectfully submitted that there is great distinction between a sync word that **is** transmitted but not detected by a receiver apparatus (as disclosed in Kojima and cited by the Examiner), and adjacent time slots in a data frame that **purposely do not include a sync word as transmitted**, as recited by claims 1-3 and 5.

Claims 1-3 and 5 recite at least TWO ADJACENT time slot based data frames, **as transmitted, not including a sync word**. This feature clearly distinguishes over Kojima, which expressly teaches the use of sync words in all

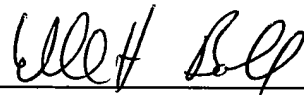
time slots. (See, e.g., Kojima, col. 6, lines 53-56)

For at least these many reasons, claims 1-3 and 5 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

**Conclusion**

All rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'W. H. Bollman', written over a horizontal line.

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